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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	2:06-cr-00367-HDM-PAL
	)	2:13-cv-00631-HDM
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
ELLIOTT DAUGHERTY,	)	
	)	
Defendant.	)	
_____	)	

On April 12, 2013, defendant filed a motion for relief pursuant to 28 U.S.C. § 2255 (#80). The motion is defendant's fourth § 2255 petition, and the third filed since December 2012. Defendant's first § 2255 motion was denied by the court on March 16, 2009. All subsequent motions have therefore been second or successive and as explained in its orders entered on December 17, 2012, January 16, 2013, and March 28, 2013, absent a certificate from the Court of Appeals, the court lacks jurisdiction to consider them. Accordingly, and for the reasons explained in the prior orders of the court, defendant's fourth § 2255 petition (#80) is **DISMISSED**. Further, as defendant continues to file § 2255


1 petitions despite the court's repeated orders stating that it may  
2 not consider them, defendant may not file any further § 2255  
3 petitions in this action absent leave of court or a certificate  
4 from the Court of Appeals authorizing such.

5 **IT IS SO ORDERED.**

6 DATED: This 1st day of May, 2013.

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UNITED STATES DISTRICT JUDGE

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